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**OFFICE OF PETITIONS**

In re Application of :  
Sweatt et al. : DECISION GRANTING  
Application No. 09/925,109 : PETITION  
Filed: 8 August, 2001 :  
Attorney Docket No. 22407-05391 :

This is a decision on the petition styled under 37 CFR 1.53 which is treated as a petition under 37 CFR 1.10(c), filed on 5 November, 2002, requesting that the above-identified application be accorded a filing date of 8 August, 2001, rather than the presently accorded filing date of 9 August, 2001.

Petitioners allege that the application was deposited in Express Mail service on 8 August, 2001. Although petitioners have not provided a copy of the Express Mail label showing the "date-in", petitioners have provided a copy of the USPS.com Track & Confirm Internet database printout showing a mailing bearing Express Mail Label No. EL566298331US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file) was accepted by the USPS on (i.e. given a "date-in" of) 8 August, 2001.

In view of the above, the petition is granted.

The petition fee is unnecessary and will be credited to counsel's deposit account, No. 19-2555, as authorized on the Fee Transmittal Form.

The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to **8 August, 2001**.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions